

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 11-cr-20767

v.

Honorable Thomas L. Ludington  
Magistrate Judge Patricia T. Morris

TYRONE QUENTIN JOHNSON,

Defendant.

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**ORDER DENYING MOTION TO REDUCE SENTENCE**

On May 2, 2013, Defendant Tyrone Quentin Johnson was sentenced to 270 months in custody after being convicted of various counts related to the possession and distribution of heroin. ECF No. 58. He has now filed a motion seeking a sentencing reduction under the First Step Act of 2018. ECF No. 90.

Defendant's motion will be denied. Pursuant to Section 404(b) of the First Step Act, "a court that imposed a sentence for a covered offense may . . . impose a reduced sentence as if sections 2 and 3 of the Fair Sentencing Act of 2010 were in effect at the time the covered offense was committed." P.L. 115-391, Section 404(b). Accordingly, a petitioner must have been sentenced prior to August 3, 2010 (the date of the enactment of the Fair Sentencing Act) to be eligible for relief under the First Step Act.

Defendant was sentenced on May 8, 2013, almost three years after the Fair Sentencing Act was enacted. ECF No. 58. He has already received any benefit the Fair Sentencing Act would give him.

Accordingly, it is **ORDERED** that Defendant's motion for a sentencing reduction under the First Step, ECF No. 90, is **DENIED**.

Dated: February 12, 2020

s/Thomas L. Ludington  
THOMAS L. LUDINGTON  
United States District Judge

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney of record herein by electronic means and to **Tyrone Quentin Johnson** #46589-039, FAIRTON FEDERAL CORRECTIONAL INSTITUTION, Inmate Mail/Parcels, P.O. BOX 420, FAIRTON, NJ 08320 by first class U.S. mail on February 12, 2020.

s/Kelly Winslow  
KELLY WINSLOW, Case Manager